



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD SHALLENBERGER,

Defendant.

2:12-CR-075-LDG-(GWF)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on June 19, 2013, defendant RICHARD SHALLENBERGER pled guilty to Count One of a Three-Count Criminal Indictment charging him with Receipt of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(2) and (b). Criminal Indictment, ECF No. 1; Plea Agreement, ECF No. 30.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and agreed to in the Plea Agreement and the offense to which defendant RICHARD SHALLENBERGER pled guilty. Criminal Indictment, ECF No. 1; Plea Agreement, ECF No. 30.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and (a)(3):

1. a Compaq Presario, serial number MXR4112025;
2. a 40 gigabyte Seagate hard disk drive, model ST340015A, serial number 5LA3ZVDE;

- 1 3. CD/DVD discs containing child pornography; and
- 2 4. any book, magazine, periodical, film, videotape, or other matter which contains
- 3 any such visual depiction, which was produced, transported, mailed, shipped,
- 4 or received in violation of Title 18, United States Code, Sections 2251 and
- 5 2252A and any property, real or personal, used or intended to be used to
- 6 commit or to promote the commission of such offense. ("property").

7 This Court finds the United States of America is now entitled to, and should, reduce the
8 aforementioned property to the possession of the United States of America.

9 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
10 United States of America should seize the aforementioned property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
12 RICHARD SHALLENBERGER in the aforementioned property is forfeited and is vested in the
13 United States of America and shall be safely held by the United States of America until further order
14 of the Court.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
16 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
17 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
18 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
19 the name and contact information for the government attorney to be served with the petition,
20 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
22 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
24 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
25 following address at the time of filing:

26 ...

1 Michael A. Humphreys
2 Assistant United States Attorney
3 Daniel D. Hollingsworth
4 Assistant United States Attorney
5 Lloyd D. George United States Courthouse
6 333 Las Vegas Boulevard South, Suite 5000
7 Las Vegas, Nevada 89101

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 19 day of June, 2013.

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UNITED STATES DISTRICT JUDGE